

Introduced by Senator Chesbro

February 13, 2002

An act to amend Sections 4125, 4136, and 4340 of the Welfare and Institutions Code, relating to mental health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1404, as introduced, Chesbro. State hospitals for the mentally disordered: patient funds: self-help groups.

Existing law imposes various functions and duties on the State Department of Mental Health with respect to the administration of state institutions for the mentally disordered. Existing law provides that the institutions over which the department has jurisdiction are Atascadero, Metropolitan, Napa, and Patton State Hospitals.

Existing law authorizes the Director of Mental Health to deposit funds of patients in trust, as specified. Existing law also authorizes the hospital administrator, with the consent of the patient, to deposit the interest or increment on the funds of the patient in the state hospital in a special fund for each state hospital, designated the "Benefit Fund," and requires the hospital administrator to be the trustee of the fund. Existing law authorizes the hospital administrator, with the approval of the Director of Mental Health, to expend moneys in the fund for the education or entertainment of the patients of the institution.

This bill would require that the hospital administrator, before expending any moneys in the fund, consult with self-help groups, as specified, established at the hospital. This bill would also require the Director of Mental Health to provide to the Legislature, no later than August 15 of each year, a summary of how the benefit fund at each state hospital was expended in the previous fiscal year.

Existing law requires that each patient in a state hospital for the mentally disordered who has resided in the state hospital for a period of at least 30 days be paid a specific amount of aid for his personal and incidental needs.

This bill would require that, in addition, each patient shall be allotted sufficient materials, at no cost, for 2 letters each week, including postage, and that the hospital administrator ensure that additional postage and writing materials are available for purchase on hospital grounds.

Existing law requires the department to maintain a statewide mental health prevention program directed toward reducing the need for utilization of the treatment system and the development and strengthening of community support and self-help networks.

This bill would require the department to ensure that each patient at a state hospital has the opportunity to participate in a self-help group.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4125 of the Welfare and Institutions
2 Code is amended to read:
3 4125. (a) ~~The Director of Mental Health~~ director may
4 deposit any funds of ~~patients~~ any patient in the possession of each
5 hospital administrator of a state hospital in trust with the treasurer
6 pursuant to Section 16305.3, of the Government Code; or, subject
7 to the approval of the Department of Finance, may deposit ~~such~~
8 ~~these~~ funds in an interest-bearing bank ~~accounts~~ account or invest
9 and reinvest ~~such these~~ funds in any ~~of the securities which are~~
10 security described in Article 1 (commencing with Section 16430);
11 of Chapter 3; of Part 2; of Division 4; of Title 2 of the Government
12 Code, and for the purposes of deposit or investment only may
13 mingle the funds of any patient with the funds of any other ~~patients~~
14 patient. The hospital administrator with the consent of the patient
15 may deposit the interest or increment on the funds of a patient in
16 the state hospital in a special fund for each state hospital, to be
17 designated the "Benefit Fund," of which ~~he~~ the hospital
18 administrator shall be the trustee. He or she may, with the approval
19 of the ~~Director of Mental Health~~ director, and after consultation
20 with self-help groups established at the hospital pursuant to

1 *Section 4340, expend the moneys in ~~any such~~ this fund for the*
2 *education or entertainment of the patients of the institution.*

3 ~~On~~

4 *(b) On and after December 1, ~~1970, the~~ 1970:*

5 *(1) The funds of a patient in a state hospital or a patient on leave*
6 *of absence from a state hospital shall not be deposited in*
7 *interest-bearing bank accounts or invested and reinvested pursuant*
8 *to this section except when authorized by the ~~patient; any~~ patient.*

9 *(2) Any interest or increment accruing on the funds of a patient*
10 *on leave of absence from a state hospital shall be deposited in his*
11 *~~account; any~~ or her account.*

12 *(3) Any interest or increment accruing on the funds of a patient*
13 *in a state hospital shall be deposited in his ~~or her~~ account, unless*
14 *~~such the~~ patient authorizes their deposit in the state hospital's*
15 *~~"benefit fund."~~*

16 ~~Any benefit fund.~~

17 *(c) Any state hospital charges for patient care against the funds*
18 *of a patient in the possession of a hospital administrator or*
19 *deposited pursuant to this section and ~~which are~~ used to pay for*
20 *~~such~~ that care, shall be stated in an itemized bill to the patient.*

21 *(d) No later than August 15 of each year, the director shall*
22 *provide to the Legislature a summary of how the benefit fund at*
23 *each state hospital was expended in the previous fiscal year.*

24 SEC. 2. Section 4136 of the Welfare and Institutions Code is
25 amended to read:

26 4136. (a) Each patient in a state hospital for the mentally
27 disordered who has resided in the state hospital for a period of at
28 least 30 days shall be paid an amount of aid for his or her personal
29 and incidental needs that, when added to his or her income, equals
30 twelve dollars and fifty cents (\$12.50) per month. If a patient elects
31 to do so, a patient may save all or any portion of his or her monthly
32 amount of aid provided for personal and incidental needs for
33 expenditure in subsequent months.

34 (b) *Each patient in a state hospital for the mentally disordered*
35 *shall be allotted sufficient materials for two letters each week,*
36 *including postage, at no cost to the patient. The hospital*
37 *administrator shall ensure that additional writing materials and*
38 *postage are available for purchase by patients at the store or*
39 *canteen on hospital grounds.*

1 SEC. 3. Section 4340 of the Welfare and Institutions Code is
2 amended to read:
3 4340. ~~The State Department of Mental Health~~ *department*
4 shall maintain a statewide mental health prevention program
5 directed toward a reduction in the need for utilization of the
6 treatment system and the development and strengthening of
7 community support and self-help networks. *The department shall*
8 *ensure that each patient at any state hospital as defined in Section*
9 *4100 has the opportunity to participate in a self-help group.*

